REMARKS

Applicants respectfully request reconsideration of this application. Claims 1-23 are pending. Claims 1, 2, 4, 11, 12, 14-16, and 18 have been amended. No claims have been added or canceled.

The specification was objected to for minor informalities. Accordingly, Applicants have amended the specification to capitalize "JAVA." Please note that the use of "JAVA" in the specification as originally filed is accompanied by the generic terminology, "high level programming languages." Accordingly, it is respectfully submitted that the objection has been overcome. Withdrawal of the objection is respectfully requested.

Claims 11-14 have been rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Accordingly, Applicants have amended paragraph [0018] in the specification to overcome the rejection. Withdrawal of the rejection is respectfully requested.

Claims 1-23 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,274,811 to Borg et al. ("Borg"). Applicants respectfully traverse the rejection.

Claim 1 as amended sets forth:

> inserting a plurality of *store instructions* before one or more instructions of the plurality of instructions *within the software program* to store content of a plurality of registers of the processor and a plurality of *restore instructions* before the one or more instructions of the plurality of instructions to restore the content of the plurality of registers of the processor.

(Claim 1 as amended; emphasis added)

In contrast, Borg fails to disclose at least the above limitation. According to Borg, some of the values of trace registers are copied back and forth between register sets when moving between the user and kernel modes (Borg, col. 10, ln. 61-64; Figure 10). However, Borg specifically discloses that such modifications and additions "*need* to be made to the *operating system* in addition to the instrumentation of the linked code." (Borg, col. 10, ln. 4-8; emphasis added). As such, the copying back and forth between register sets in Borg is implemented by *modifying the operating system*, rather than by inserting *store instructions* and *restore instructions* before one or more instructions of the plurality of instructions *within the software program*. Furthermore, Borg does not imply or suggest inserting store instructions and restore instructions before one or more instructions of the plurality of instructions within the software program. Instead, Borg emphasizes that modifications to implement the copying back and forth between registers sets *need* to be made to the operating system. Therefore, Borg fails to disclose at least the limitation of claim 1 as amended set forth above. For at least this reason, Borg fails to anticipate claim 1 as amended. Withdrawal of the rejection is respectfully requested.

For the reason discussed above with respect to claim 1, claims 11 and 15 as amended are not anticipated by Borg. Withdrawal of the rejection is respectfully requested.

Claims 2-10, 12-14, and 16-23 depend, directly or indirectly, from claims 1, 11, and 15, respectively. Thus, claims 2-10, 12-14, and 16-23 are not anticipated by Borg for at least the reason discussed above with respect to claim 1. Withdrawal of the rejection is respectfully requested.
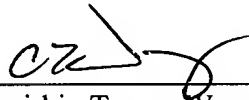
CONCLUSION

Applicants respectfully submit that the objection and rejections have been overcome by the amendments and the remarks, and that the pending claims are in condition for allowance. Accordingly, Applicants respectfully request the objection and rejections be withdrawn and the pending claims be allowed.

Pursuant to 37 C.F.R. §1.136(a)(3), Applicants hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,
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Date: __10/27__, 2006

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